

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

GYEONG JIE LEE,

Defendant.

NO. CR20-167 RAJ

DISCOVERY
PROTECTIVE ORDER

This matter, having come to the Court's attention on the Stipulation for Entry of a Discovery Protective Order submitted by the United States of America and Defendant Gyeong Jie Lee, and the Court, having considered the motion, and being fully advised in this matter, hereby enters the following PROTECTIVE ORDER:

1. Protected Material

The following documents and materials are deemed Protected Material. The United States will make available copies of the Protected Materials, including those filed under seal, to defense counsel to comply with the government's discovery obligations. Possession of copies of the Protected Materials is limited to the attorneys of record, and investigators, paralegals, law clerks, experts, and assistants for the attorneys of record (hereinafter collectively referred to as members of the defense team). The defense is

1 allowed to share the defendant's medical records with the defendant's family members.

2 This category of Protected Materials will be marked and labeled as "Protected Material":

- 3 a. All medical records;
- 4 b. [001] Interview of Gyeong Jie Lee
- 5 c. [002] Interview of S.J.Y.
- 6 d. [003] Interview of J.Y.L.
- 7 e. [004] Interview of K.H.
- 8 f. [005] Interview of K.Y.
- 9 g. [006] Interview of M.P.
- 10 h. [036] Interview of E.P.
- 11 i. [037] Interview of H.M.
- 12 j. [043-047] Korean Air Manifest and Crew List
- 13 k. [048-355] Gyeong Jie Lee Medical Records
- 14 l. [365-372] In-Flight Videos

15 2. Scope of Review of Protected Material

16 Defense attorneys of record and members of the defense team may display and
 17 review the Protected Material with the Defendant. The attorneys of record and members
 18 of the defense team acknowledge that providing copies of the Protected Material to the
 19 Defendant and other persons is prohibited, and agree not to duplicate or provide copies of
 20 Protected Material to the Defendant and other persons. The defense is allowed to share
 21 the defendant's medical records with the defendant's family members.

22 3. Consent to Terms of Protective Order

23 Members of the defense team shall provide written consent and acknowledgement
 24 that they will each be bound by the terms and conditions of this Protective Order. The
 25 written consent need not be disclosed or produced to the United States unless requested
 26 by the Assistant United States Attorney and ordered by the Court.

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4. Parties' Reciprocal Discovery Obligations

Nothing in this order should be construed as imposing any discovery obligations on the government or the defendant that are different from those imposed by case law and Rule 16 of the Federal Rules of Criminal Procedure, and the Local Criminal Rules.

5. Filing of Protected Material

Any Protected Material that is filed with the Court in connection with pre-trial motions, trial, sentencing, or other matter before this Court, shall be filed under seal and shall remain sealed until otherwise ordered by this Court. This does not entitle either party to seal their filings as a matter of course. The parties are required to comply in all respects to the relevant local and federal rules of criminal procedure pertaining to the sealing of court documents.

6. Non-termination

The provisions of this Order shall not terminate at the conclusion of this prosecution.

7. Violation of Protective Order

Any violation of any term or condition of this Order by the Defendant, his attorney(s) of record, any member of the defense team, or any attorney for the United States Attorney's Office for the Western District of Washington, may be held in contempt of court, and/or may be subject to monetary or other sanctions as deemed appropriate by this Court.

If the Defendant violates any term or condition of this Order, the United States reserves its right to seek a sentencing enhancement for obstruction of justice, or to file any criminal charges relating to the Defendant's violation.

DATED this 15th day of October, 2020.



The Honorable Richard A. Jones
United States District Judge